

REMARKS

Claims 1 and 3-18 are currently pending in the present application. No new matter is added by this amendment.

Applicants note that the previous amendment of October 23, 2007 incorrectly provided the pending claims. However, the present Office Action did not indicate non- entry of the claim amendments of October 23, 2007 pursuant to MPEP section 714. Thus, Applicants have made amendments herein based on the claims as provided in the amendment of October 23, 2007.

The Office Action rejects claims 1-10 under 35 U.S.C. § 112, second paragraph, asserting that the terms "determining" and "determine" do not particularly point out and distinctly claim the subject matter. Claims 1 and 8-10 have been amended to more clearly describe the invention.

The Office Action rejects claim 10 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claim 10 has been amended which should obviate this rejection.

Claims 1, 4-6, and 8-10 have been rejected by the Office Action under 35 U.S.C. § 102(b) as being anticipated by Ohe. Claims 1, 4-6 and 8-10 include the feature of the similarity function being obtained by means of a dynamic time warping method. The Office Action concedes that Ohe does not disclose this feature. However, with respect to previously pending claim 2, the Office Action asserts that it would have been obvious to modify the Ohe system with the features described in Vullings for the purpose of having a great effect on image quality. Applicants respectfully disagree that the combination of art renders claims 1, 4-6, and 8-10.

Ohe is directed to Digital Subtraction Angiography (DSA) with a particular method for performing the DSA:

. . . controlling said digital subtraction means in such a manner that when the number of contrast images acquired within an arbitrary one cardiac cycle is smaller than that of the mask images stored in the first memory means and acquired within said one cardiac cycle, said subtraction means performs digital subtraction between all of said contrast images and the corresponding mask images, withholding a predetermined number of said mask images which do not correspond to said contrast images, with respect to the cardiac beats, whereas, when the number of contrast images acquired within said arbitrary one cardiac cycle is greater than that of the mask images acquired within said one cardiac cycle, **said digital subtraction is carried out by utilizing all of said contrast images and by repeatedly utilizing at least one of said mask images, in addition to all of the corresponding mask images, with respect to the cardiac beats.** (Ohe col. 2, lines 39-57)(emphasis added).

The above-described DSA methodology does not involve use of dynamic time warping methodology and replacement of the Ohe methodology with dynamic time warping would obviate the objective of Ohe of utilizing this particular DSA methodology.

Claims 2, 3, and 7 have been rejected by the Office Action under 35 U.S.C. § 103(a) as being obvious over Ohe in view of Vullings in further view of Beier and in further view of Urbano. This rejection is moot as to claim 2, which has been cancelled. Claims 3 and 7 depend from claim 1 and thus are also not obvious over the cited combination of art.

Claims 11-18 depend from claims 1, 8, 9, and 10, respectively and thus are also patentable over the cited combination of art.

In view of the foregoing, Applicants respectfully submit that the specification, the drawings and all claims presented in this application are currently in condition for allowance. Accordingly, Applicants respectfully request favorable consideration and that

this application be passed to allowance.

Respectfully submitted,



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